

THE INDEPENDENT

ISSUED

EVERY AFTERNOON

(Except Sunday)

At "Brito Hall," Konia Street.

TELEPHONE 841

"Gainst the wrong that needs resistance,
For the right that needs assistance,
For the future in the distance
And the good that we can do."

"I am in the place whereof I am demanded
of conscience to speak the truth, and the truth
I speak, impugn it who so list."

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Residing in Honolulu

SATURDAY, AUG. 17, 1895.

IN RE V. V. ASHFORD.

If the statement published in the official organs relating to the attitude of Great Britain on the sentence and imprisonment of V. V. Ashford is correct, and if Great Britain requests, i. e., demands, that said sentence be set aside, the Hawaiian Government will find itself in an awkward dilemma. The British law lords hold that Mr. Ashford was convicted on the evidence of an accomplice, and they hold that such conviction was improper and illegal. If the Hawaiian Government "adopts" the views of the British Government's legal advisers the sentence and imprisonment of the ex-queen, Cupid, John Bowler and others, who were convicted through the evidence of alleged accomplices becomes equally illegal and untenable. It will be impossible for the Hawaiian Government to accept the request, i. e., demand, of Great Britain in re V. V. Ashford without cancelling the sentences of those others who were convicted through the evidence of accomplices. It will be interesting to see how our wise men will get out of this latest intricacy. We presume they will follow their latest motto and "ask no questions" while complying with Great Britain's demand—and then leave the others in durance vile.

Mr. Dole was moved by "just causes" when he pardoned Ashford. He will now probably be "moved" by the English Government to cancel the sentence, and pardon and payment of damages will undoubtedly be due to Mr. Ashford, a British subject, illegally incarcerated in an Hawaiian dungeon. We have frequently been asked the tenor of the "pardons" granted to Ashford and the unconvicted exiles who fell under the ban of the Republic. For reasons unknown the Government has been extremely secretive about these documents, not even allowing the exiles copies of them. It will therefore be appreciated by our readers that we can present to them the text of V. V. Ashford's pardon. It reads:

I, Sanford Ballard Dole, President of the Republic of the Hawaiian Islands,

Moved by just causes, made known to me, and being advised thereto by the Executive and Advisory Council of the Government, do hereby in accordance with the power in me vested grant unto

VOLNEY V. ASHFORD,

now in Oahu Prison, who was found guilty of the crime of misprision of treason, by a Military Commission, duly convened and sentenced to imprisonment at hard labor for the term of one year to date, from the 4th of February, A. D. 1895, and to pay a fine of One Thousand Dollars, which sentence was approved by the Commander-in-Chief, a conditional pardon for the said crime committed by him upon the express condition

that he, the said Volney V. Ashford, will depart and forever remain away from the Hawaiian Islands, and that this pardon shall take effect from the date of his departure from said Hawaiian Islands, and the officer having the said Volney V. Ashford in charge is hereby commanded to allow him of said date of departure to go free. And if he, the said Volney V. Ashford, shall at any time thereafter be found within the Hawaiian Islands, he shall serve and perform his unexpired sentence.

Given under my hand and the Great Seal of the Government of the Hawaiian Islands, this 12th day of April, 1895.

SANFORD B. DOLE.

By the President:

F. M. HATCH,

J. A. KING,

W. O. SMITH.

ASK NO QUESTION.

If the Advertiser represents the sentiments of the heads of the Hawaiian Republic, the country is certainly drifting into dangerous grounds. The argument advanced at present in nearly all instances of public moment is "ask no questions." Leave everything in fact to the executive, and the country, and nation will be all right. If that is democratic sentiment, we must admit that we do not understand government by the people. When Colonel Spalding arrived here with his infamous cable franchise steal, the virtuous morning paper, advised the community to "ask no questions." In praising the decision in the Cupid habeas corpus case, the official bawls out that in perilous times the Court follows the common sense of mankind, that if an end is desirable, it would be obtained and no questions asked.

This jesuitical and damnable policy is becoming too conspicuous under our immaculate republic. The hydra headed octopus known as the family compact is again to the front and it is high time that some check and if necessary "chopping" be done by the liberal minded portion of the community—and no questions asked.

We are asked to give unbounded faith to a little clique of men of whom only one perhaps is in any way in touch with the people. We are told to pay our taxes like good little people and leave the expenditures to the self-appointed clique which apparently haven't even the confidence of its own legislature or former supporters. We are told to refrain from criticizing the appointment of military commissions the wholesale imprisonment of innocent citizens and the cold blooded slaughter by malaria, and other diseases, of our fellow citizens. It is the will of Allah Dole. He is great and—no questions asked.

If we are to live in a republic let us endeavor to make the republic a true liberty-loving and liberty-respecting commonwealth where every official act shall be submitted to the bright daylight of truth and where every honest opinion shall be entitled to consideration and "every sensible question answered."

The ask-no-question policy is played out. The executive may be entitled to the confidence and support of the country but its members are not infallible nor are they the rulers of the Republic. They are the servants of the tax payers as are the judges of the Supreme Court and they owe to the nation a full explanation and an exhaustive account of the transactions of the stewardship with which they have been entrusted.

We do not propose to criticize at this moment the decision of the Supreme Court in the famous habeas corpus case. That decision will undoubtedly be reviewed by the ablest jurists in the world. But we can say unhesitatingly that if the Advertiser has correctly interpreted the ideas of the judges their decision will be unanimously condemned in every country where the right of the individual is not alone respected but is the prime lever in the order of society. In such countries questions are asked and answered even if they involve the safety of a ruling clique as long as the ends of justice are to be obtained. If the chief engineers of our government machinery wish for the co-operation and support of the people let them disavow the policy of the Advertiser and condemn to eternal oblivion the "ask no questions" theory.

TOPICS OF THE DAY.

The Republican administration of Hawaii promised a new order of things, but the fulfilment has not been up to the promise. In the matter of appointments to office we have the best reason to complain. The matter of judicial appointments illustrates the laxity that have prevailed; the one branch of government in which the most care should have been exercised. When John W. Kalua was appointed Circuit Judge of Maui, no one knew better the bad reputation of this man than President Dole and Chief Justice Judd. But Mr. Kalua was one of the few renegade Hawaiians who shouted for annexation, and this was thought to outweigh every other consideration. Mr. Kalua knew that it was the last card he had to play and he played it, and won the vacant judgeship. This was bad enough, but having made the appointment, Messrs. Dole, Judd, Smith and others of the Republican patriots tried to give Mr. Kalua a standing in society, by inviting him to their houses, dining him, and introducing him to their wives and daughters. The offense that Mr. Kalua is now charged with is of no greater turpitude than others he was charged with before his appointment.

Just here we have to ask if Sheriffs and their deputies have a list of persons whose persons are held in higher esteem than others. Circuit Judge Kalua was allowed to go free of arrest, to which we do not demur, but so far he has not been summoned to appear for trial for the violation of law.

Most of the work of the Legislature in its special session just over has been authorizing the appointment of special commissions of investigation to report to the regular session of the Legislature. In addition it has mutilated the President's land bill so that even the Executive admit it will probably have to be amended and supplemented at the regular session. And for this the country has been put to an expense of \$13,000—of which only \$6000 went in salaries to the collective elected wisdom of the country.

Two separate editorialettes in the same column of the Star read as follows:

"There does not seem to be any question but what the new Legislative system of the branches sitting separately is better than the old. Every measure receives exhaustive consideration."

"The private lightning express methods of legislation has no place in the country of a free people."

What does he mean? After in previous issue accusing the Executive and Legislature of "railroading legislation" he now denounces it in one breath and in the other says each measure has received "exhaustive consideration." How about the cable?

In another column, we reprint from one of the latest copies of the New York Sun, an account of a mysterious phantom city seen in Alaska occasionally, and supposed to be in the neighborhood of the North Pole. It is interesting, to note in this connection that, a similar feature is said to be seen during the nights of Kane—that is, during the last quarter of each moon—at Mana, Waimea, Kauai; in the early morning hour. It is called by tradition the "Kauhale o Lima-loa." That is to say the "City of Loughland."

It sometimes occurs to us what can be the feelings of those who meet as missionaries and missionaries' children, and children-in-law, when they get together and raise their tuneless voices on that verse of the hymn which bids

"To set the captive free
To set aside transgression
And rule in equity."

How do they reconcile it with their determination to keep the poor fellows in prison and carry on as they are doing. Even the Advertiser now falls into line with a request for pardons. But we, like the Star, advocate a general amnesty. And half-way measures will only prolong and indurate the dissatisfaction and hard feeling. Forgiveness to all will produce a mollification of all the bad feeling still existing. Mercy is "like the gentle dew from heaven." It is the one quality which is both "the attribute of God and man." We say therefore to the Executive and its Council of State: Be merciful and let not "the quality of mercy be strained."

Then there was the younger Mr. Notley, another man who shouted for annexation, who had to be given an office in order to show the people

of the United States that Hawaiians supported the Republic of Hawaii. This young man was made Collector of Customs for the port of Hilo, and his rulings on tariff questions would have made a graven image grin from ear to ear. The density of this man's ignorance and his bad reputation were known of all men. It seemed to be the intention of Mr. Dole and his advisers to elevate every scallawag Hawaiian to office who could be induced to shout the Republic's shibboleth. Possibly it is the intention of Mr. Dole and his Cabinet to show by the failures of Messrs. Kalua and Notley that Hawaiians are not capable of holding office. Mr. Notley has been allowed to slip back in obscurity unwhipped, because of the position held by his venerable father, Senator Notley, whose resignation of the toga was announced the other day.

The doings in our lower courts are sometimes of a nature which will bear considerable comments. We will shortly give our readers a description of the way in which business generally is transacted in the District Court of Honolulu which will be of interest. As an example we will mention the following incident. A woman claimed to have been threatened with bodily harm by a young man, for some reason or other. She believed her life in danger and applied to the court for protection asking that the man be placed under bonds to keep the peace. The man seems to have some pull and the authorities refused to move in the matter. Judge Perry however knew his duty and issued a penal summons against the alleged offender. This morning a *nolle prosequi* was entered by the prosecuting attorney without the case being heard or an iota of evidence produced. The prosecuting officer offered no reason or excuse for his action except a muttered statement that he acted according to orders from headquarters. We do not care a rap for the merits of the case but we should like to know how the prosecuting officer of the republic or his—headquarters (this doesn't refer to his own head) can know anything about the reasons why the woman in question feels in danger and asks for protection. The use of a penal summons instead of a warrant was agreed upon so as not to cause the defendant any unnecessary inconvenience. The refusal of the authority to try the case is an outrage and a contemptible piece of nepotism, and the public will look at it in that manner even if the protecting wings which covered the defendant sprouted on the shoulders of a Supreme Court official.

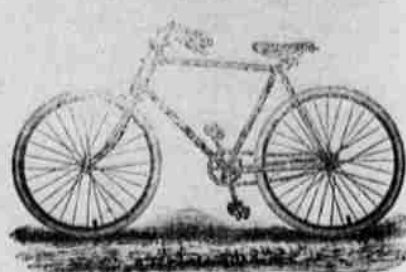
One of the most remarkable features of our usually mild and live-and-let-live community is the facility with which they swallow camels and strain at gnats. When cruelty to animals is brought up as a subject of discussion we meet. We form a society. We appoint a special officer to attend to it. And we dig up to pay for his salary. Then we get tired—wearied—annoyed of the most pronounced description sets in. Every kind of cruelty goes unnoticed. But when people are going up a hill 3 miles out of town to get home on Saturday night at midnight a zealous policeman stops the whole business and causes people to be arrested. The whole business is ridiculous. Even in the island of Laputa Gulliver couldn't find such an instance of upside-down ways of going to work. These extraordinary instances are the ones which the sensible man in office overlooks. He doesn't take the technical point of what is wrong in this single instance. He leaves that go—and watches for instances of habitual violation of the law. Then he prosecutes. Supposing for instance the Chief Justice and family are out on an excursion some miles from town in their family carriage. Supposing by accident one horse casts a shoe and goes lame. They are say 15 miles from home. The horse is evidently unfit to drag the load. But they must get home. Would any reasonable man prosecute him for cruelty to animals because he didn't let that horse go and get another one but insisted on its dragging himself and family to his home? And this case is on a parallel. Those people at midnight on Saturday were trying to get home.

Dress goods in quantities to suit are being sold daily at L. B. Kerr's on Queen street. Ladies, before purchasing elsewhere should examine this fine stock. A full line of Ladies' Hats, Girls Hats, Boys' Hats and Men's Hats from 25c. each.

TO LET.

STORE TO LET ON King street, formerly occupied by M. E. Silva. Possession given immediately. Apply at No. 322 Nuuanu street, 44-1w

Timely Topics.



Honolulu, July 22, 1895.

It cannot be denied that the war cloud which hangs over the world at present is getting darker and darker. It is a historical fact that the end of each century has always been fraught with bloodshed and strife, internally as well as externally. The great powers of Europe today are making and unmaking alliances of all kinds. The fact is that diplomacy to-day is using every means to postpone the day when the crash must come and gain time for the different countries to prepare themselves for the gigantic struggle which will and must take place before the present generation dates its letters in the year 1900. Turkey is threatened from all sides. The Russian bear is extending his claws and licking his blood-thirsty tongue towards the East and South in anticipation of gain. The passive and cold brother nations who inhabit the Scandinavian peninsula are now glaring ferociously ready to spring at each other's throats. Germany, under its impetuous, indiscreet imperial master, is drifting into the deceptive maelstrom of conquest, and war, in which all past experience, all knowledge gained through the horrors of war are forgotten, and where only false sentiment and sham patriotism are ruling.

And while the giants get ready for the great war their leaders have realized one thing, and that is, that no army will have a show, no militia a chance, except provided with the indispensable bicycle. And no wonder that the monarchical countries of Europe prefer the "Monarch" to any other kind, and supply their "wheeling cavalry" with that favorite brand.

We have watched proceedings in the great countries with a great deal of care, and we have secured the sole agency for Hawaii of the Monarch Cycle. We have realized that, not alone a large stock is necessary, but that a workshop, in which all needed repairs can be done is in the interest of our patrons, and we have established one above our stores on Fort street. This "Hawaii infirmery" will attend to any "sickness" which the wheel may meet through accident or lack of care. Our prices are far below veterinary figures. We fix the Monarchs sold by us at cost price if ever they should need it. We have everything on hand and have secured the services of a most experienced bicycle man, whose work we guarantee.

As the bicycle is not only of advantage in war but love, we wish to call the attention of the young boys and girls who have to spend their vacations in Honolulu, that we have wheels just suitable for them. If daddy can't send them to the country for a trip—or buy them a bow-wow—let them ask him for a Monarch. It will give more pleasure and last much longer than even a volcano trip.

The Hawaiian Hardware Co., Ltd

307 FORT STREET,

Opposite Spreckels' Block.